

**PATENT APPLICATION**  
Docket No. 1941-70

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Paul J. BRUINSMA  
Suresh BASKARAN  
Jagannadha R. BONTHA  
Jun LIU

Serial No. 09/481,988

Examiner: P. Marcantoni

Filed: January 11, 2000

Group Art Unit: 1755

Original Patent No. 5,922,299

Original Patent Issue Date: July 13, 1999

Confirmation No. 6422

For: MESOPOROUS-SILICA FILMS, FIBERS, AND POWDERS BY EVAPORATION

**SUPPLEMENTAL DECLARATION FOR REISSUE PATENT APPLICATION  
TO CORRECT "ERRORS" STATEMENT  
(37 CFR 1.175)**

We hereby declare that:

The original patent does not include a full range or scope of independent apparatus claims to which the patentee is entitled.

The original patent application as filed included a limitation in its independent method claim 1 where the combining step (a) uses an "ammonium cation" type surfactant. This limitation appears in all claims of the patent as issued. Applicants failed to appreciate when the application was filed and throughout prosecution of the application that this quoted language significantly limited the scope of applicants' patent protection and that the limitation was not required to render the claim patentable. Only after applicants read U.S. Patent No. 5,858,457 to Brinker, et al. did they appreciate that their own prior invention could be claimed in a different way to obtain a broader scope of protection.

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The original patent application as filed included a limitation in its independent method claim 1 where the combining step (a) uses an "aqueous" solvent. This limitation appears in all claims of the patent as issued. Applicants failed to appreciate when the application was filed and throughout prosecution of the application that this quoted language significantly limited the scope of applicants' patent protection and that the limitation was not required to render the claim patentable. Only after applicants read U.S. Patent No. 5,858,457 to Brinker, et al. did they appreciate that their own prior invention could be claimed in a different way to obtain a broader scope of protection.

Every error in the patent which was corrected in the present reissue application, and which is not covered by the prior oath(s) and/or declaration(s) submitted in this application, arose without any deceptive intention on the part of the applicant.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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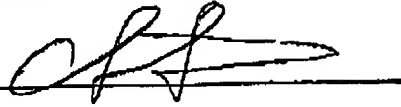
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